

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BREANNA N. GAMBLE,
also known as Breanna Delcour
[DOB: 05/24/1995],

Defendant.

No. 24-3005-01-CRS-SRB

COUNT 1:

18 U.S.C. § 1343
(Wire Fraud)
NMT 20 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class C Felony

FORFEITURE ALLEGATION:

18 U.S.C. § 981(a)(1)(C)

Mandatory Restitution;
\$100 Special Assessment

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to the Information:

Introduction and Background

1. The defendant, BREANNA N. GAMBLE, also known as Breanna Delcour, resided in Christian County, Missouri, a location in the Western District of Missouri.
2. Merriam Woods was a city in Taney County, Missouri, a location in the Western District of Missouri.
3. The city of Merriam Woods maintained bank accounts with First Community Bank of the Ozarks, including account number ending 8204. First Community Bank of the Ozarks was headquartered in Branson, Missouri, in the Western District of Missouri.

4. The city of Merriam Woods maintained credit card accounts with UMB Financial Corporation (“UMB”). UMB was headquartered in Kansas City, Missouri, in the Western District of Missouri.

5. QuickBooks is an accounting software developed by Intuit that small and medium-sized businesses, including municipalities, use to track financial functions such as income and expenses, including employee expenses, and payroll. Customers of QuickBooks utilize the software, in part, through electronic communications over the Internet.

6. The city of Merriam Woods utilized QuickBooks through an account over an online portal with a financial company in Taney County, Missouri, which was hosted over the Internet by a separate company in the state of Georgia. Any QuickBooks entry made through the city of Merriam Woods’ account utilized electronic communications over the Internet from the state of Missouri to and through a server in the state of Georgia.

7. From at least July 2, 2018, through August 11, 2019, said dates being approximate, the defendant was employed by the city of Merriam Woods as the city clerk. Through her employment, the defendant was responsible for various financial and administrative duties, including, but not limited to, overseeing payroll for city employees, performing routine business tasks, including conducting accounts payable work and paying taxes, and managing the city finances and billing records. The defendant conducted some of these duties through accessing and utilizing QuickBooks software, by making electronic entries in QuickBooks utilizing the Internet at the city’s place of business in Taney County, Missouri. Any QuickBooks entries conducted by the defendant involved electronic communications over the Internet from the state of Missouri and to the state of Georgia.

8. As a part of her employment, the defendant had access to the city's above-listed credit card accounts and bank accounts. The defendant also had access to the city's paper checks for such bank accounts.

COUNT 1

The Scheme

9. Beginning on or about October 1, 2018, and continuing until in or through August 11, 2019, said dates being approximate, in Taney and Christian Counties, in the Western District of Missouri, and elsewhere, the defendant voluntarily and intentionally devised and executed a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises, from the city of Merriam Woods.

10. As a part of her scheme, the defendant utilized her position as a city clerk for the city of Merriam Woods, with financial and administrative responsibilities, to use city funds for her personal benefit, without authorization from the city, and her actions caused the city of Merriam Woods to suffer financial loss.

11. As a further part of her scheme, the defendant used the city's UMB credit card accounts to make personal purchases on numerous occasions, without authorization from the city, including purchases from Amazon, Victoria's Secret, Walmart, PFI, Buckle, American Eagle, H&M, Ticketmaster, Reliable Chevrolet, Springfield Power Sports, Lululemon, and Ulta.

12. As a further part of her scheme, the defendant forged a signature on at least one check from the city's First Community Bank of the Ozarks account, number ending 8204, in order to make a purchase for her personal benefit, specifically check number 12872 written out to A.D. in the amount of \$5,500, with "Computer Back up, maintenance, software repairs" written in the memo line. A.D. was the defendant's husband at the time and he did not conduct any computer

maintenance or software repair work for the city. These funds were then used by the defendant to purchase a motorcycle for her personal use.

13. As a further part of her scheme, the defendant recorded false financial entries in QuickBooks, specifically and intentionally miscoding and mischaracterizing QuickBooks entries, to conceal her personal purchases. The defendant also created false invoices to conceal her personal purchases.

14. As a further part of her scheme, the defendant made misrepresentations to the city's mayor and Board of Aldermen in order to conceal her scheme to defraud.

15. As a further part of her scheme, the defendant failed to cooperate with a company hired by the city of Merriam Woods to conduct a financial audit of the city's finances, in order to further conceal her scheme to defraud.

16. The loss to the city of Merriam Woods that resulted from the defendant's above-described scheme totaled not less than \$68,038.48.

The Charge

17. By this reference, the allegations set forth in paragraphs 1 through 16 are hereby re-alleged and incorporated by reference as if fully set forth therein.

18. From on or about October 1, 2018, and continuing until on or about August 11, 2019, said dates being approximate, in Taney and Christian Counties, in the Western District of Missouri, and elsewhere, the defendant, **BREANNA N. GAMBLE, also known as Breanna Delcour**, with the intent to defraud, devised the above-described scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises, from the city of Merriam Woods, Missouri.

19. On or about June 27, 2019, said date being approximate, in Taney County, in the Western District of Missouri, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, and to obtain money by means of false and fraudulent pretenses, representations and promises, the defendant, **BREANNA N. GAMBLE, also known as Breanna Delcour**, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communication, certain signs, signals and sounds, that is, the electronic entry of a category of "REPAIRS & MAINTENANCE" and a memo of "computer back up and security checks" related to check number 12872, as detailed in paragraph 12, in the city of Merriam Woods' QuickBooks software program, which originated in Taney County, Missouri and was electronically transmitted to a location outside of the state of Missouri through the Internet, and thus traveled across state lines in interstate commerce, all in violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION

20. The United States Attorney re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 19, including the allegations supporting Count 1 in this Information for the purpose of alleging forfeiture to the United States pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C).

21. As a result of the offense alleged in Count 1 of this Information, and pursuant to Title 18, United States Code, Section 981(a)(1)(C), the defendant, **BREANNA N. GAMBLE, also known as Breanna Delcour**, shall forfeit to the United States all property, real and personal, constituting, or derived from, proceeds traceable to the offense, directly or indirectly, as a result of the violations of law, including but not limited to:

Money Judgment

22. Not less than approximately \$68,038.48 in United States currency, and all interest and proceeds traceable thereto, and a money judgment therefore, representing the proceeds obtained by **BREANNA N. GAMBLE, also known as Breanna Delcour**, in that the sum in aggregate, constitutes or is derived from proceeds traceable to the offense set forth in Count 1.

Substitute Assets

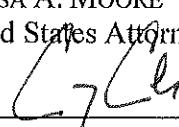
23. If any of the property described in the above paragraph, as a result of any act or omission of the defendant,

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; and/or
- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), which is incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant not less than the value of the property described in paragraph 22 above, or elsewhere, as being subject to forfeiture.

Respectfully submitted,

TERESA A. MOORE
United States Attorney


CASEY CLARK
Assistant United States Attorney

DATED: 1/18/24
Springfield, Missouri